

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
PECOS DIVISION**

AARON TREMELL HILL, SR.,
Plaintiff

v.

DOLLAR TREE STORES, INC.,
Defendant

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P:24-CV-00011-DC

**ORDER ADOPTING
REPORT AND RECOMMENDATION**

The Court now considers United States Magistrate Judge David B. Fannin's report and recommendation¹ regarding Dollar Tree Stores, Inc.'s motion to dismiss.² Pursuant to 28 U.S.C. § 636(b) and Rule 1 of Appendix C of the Local Rules of the United States District Court for the Western District of Texas, Judge Fannin issued his report and recommendation on October 30, 2024.³ As of the date of this order, no party has filed objections to the report and recommendation.

Pursuant to 28 U.S.C. § 636(b), a party may serve and file specific, written objections to a magistrate judge's proposed findings and recommendations within fourteen days after being served with a copy of the report and recommendation and, in doing so, secure de

¹ ECF No. 11.

² ECF No. 6.

³ ECF No. 11.

novo review by the district court. When no objections are timely filed, a district court can review the magistrate's report and recommendation for clear error.⁴

Because no party has filed timely objections, the Court reviews the report and recommendation for clear error. Having done so and finding no clear error, the Court accepts and adopts the report and recommendation as its own order.

The Court therefore **ORDERS** that the report and recommendation of United States Magistrate Judge David B. Fannin is **ADOPTED**⁵. Aaron Tremell Hill, Sr.'s complaint is **DISMISSED WITHOUT PREJUDICE**.

It is also **ORDERED** that Hill be given an opportunity to seek leave to amend his complaint. Should he choose to seek leave, he should file a motion to amend within twenty-one days of the entry of this order.

It is so **ORDERED**.

SIGNED this 18th day of November, 2024.

A handwritten signature in black ink, appearing to read "David Counts", with a stylized star or asterisk symbol to the right of the name.

DAVID COUNTS
UNITED STATES DISTRICT JUDGE

⁴ See Fed. R. Civ. P. 72 advisory committee's note ("When no timely objection is filed, the [district] court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.").

⁵ ECF No. 11.